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Application No. 00 922 542.6 - 2223	Ref. PHA 23.637 EP	Date 24.11.2005
Applicant Koninklijke Philips Electronics N.V.		

Communication pursuant to Article 96(2) EPC

The examination of the above-identified application has revealed that it does not meet the requirements of the European Patent Convention for the reasons enclosed herewith. If the deficiencies indicated are not rectified the application may be refused pursuant to Article 97(1) EPC.

You are invited to file your observations and insofar as the deficiencies are such as to be rectifiable, to correct the indicated deficiencies within a period

of 4 months

from the notification of this communication, this period being computed in accordance with Rules 78(2) and 83(2) and (4) EPC.

One set of amendments to the description, claims and drawings is to be filed within the said period on separate sheets (Rule 36(1) EPC).

Failure to comply with this invitation in due time will result in the application being deemed to be withdrawn (Article 96(3) EPC).



Sucher, R
Primary Examiner
for the Examining Division

Enclosure(s): 3 page(s) reasons (Form 2906)

**Beschreibung/Protokoll (Anlage)**

Datum
Date 24.11.2005

Communication/Minutes (Annex)

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Sheet 1
Folie

Notification/Procès-verbal (Annexe)

Annexe-Nr:
Application No.: 00 922 342.6
Demande n°:

The examination is being carried out on the **following application documents**:

Text for the Contracting States:
DE FR GB IT

Description, pages:

1-9 as published

Claims, No.:

1-20 as published

Drawings, sheets:

1/1 as published

1. The following documents (D) are referred to in this communication; the numbering will be adhered to in the rest of the procedure:

D1: EP-A-0 809 244 (FUJITSU LTD) 26 November 1997;

D2: EP-A-0 672 991 (INST OF SYSTEMS SCIENCE) 20 September 1995.

2. The application does not meet the requirements of Article 84 EPC, because claims 1, 4, 8, 14 and 18 are not clear.

Claim 1 refers to a "unique identifier" wherein it is not clear in which respect the identifier is unique. Without an appropriate clarification, the subject-matter of claim 1 is not new in the sense of Article 54(1) and (2) EPC because document D1 discloses (see in particular col. 4, l. 14 - col. 6, l. 12 in conjunction with figs. 1 and 2) a recording medium (MO disc as target storage medium) comprising

a first memory that is configured to store encrypted content material via a first write operation (main area for storing encrypted data from CD-ROM as master storage medium),

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Communication/Mémoires (Annex)

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Notification/Procès-verbal (Annexe)

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a recording indicator that is configured to contain a unique identifier at each occurrence of the first write operation (storage medium identifier), and

a second memory that is configured to store, via a second write operation, a secure item based on the unique identifier when the encrypted content material is stored (certificate code as signature generated at central site based on storage medium identifier from target storage medium and contents identifier from master storage medium).

However, when the unique identifier is clarified in that it is unique to the write operation (e.g. a counter that is configured to be incremented by a recording device when the recording device records the encrypted content material, as defined in claim 3), the subject-matter of claim 1 does not involve an inventive step in the sense of Article 56 EPC because such a counter has already been employed for the same purpose in a similar recording medium, see document D2, p. 5, l. 6-47 in conjunction with fig. 2, "number of legal accesses left (LAL)".

The same objections also apply to claims 4, 8, 14 and 18 defining the corresponding devices and methods for providing and rendering content material, respectively.

3. The applicant is invited to file amended claims, taking into account the points discussed above. Special attention is drawn to the following:

To meet the requirements of Rule 27(1)(b) EPC, the documents D1 and D2 should be identified in the description and the relevant background art disclosed therein should be briefly discussed.

The independent claims should be drafted in the two-part form in accordance with Rule 29(1) EPC with those features known in combination from the prior art being placed in a preamble and with the remaining features being included in a characterizing part.

When filing amended claims the applicant should at the same time bring the description into conformity with the amended claims. Care should be taken during revision, especially of the introductory portion and any statements of problem or

**Beschold/Protokoll (Anlage)**

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advantage, not to add subject-matter which extends beyond the content of the application as originally filed (Article 123(2) EPC).